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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7 STATE OF WASHINGTON,)

8 Plaintiff,)

No.)

9 vs.)

10 ORDER FINDING DEFENDANT
INCOMPETENT AND COMMITTING
FOR FIRST RESTORATION PERIOD)

11 Defendant.)

12)
13)
14 THIS MATTER having come on before the undersigned judge of this court, the court
15 examined the report of Western State Hospital, dated _____, and
16 considered the records herein, and heard the statements of counsel, and now finds that the
17 defendant is incompetent to stand trial.

18 IT IS HEREBY ORDERED:

19 1. That the defendant is committed to Western State Hospital for a restoration period of

20 [] ninety days

21 [] forty-five days (for all cases in which the highest charge is a Class C felony or a Class
22 B felony that is not classified as a violent offense under RCW 9.94A.030)

23 from date of admission, or until such earlier time as the defendant becomes competent to stand
24 trial.

ORDER FINDING DEFENDANT INCOMPETENT AND
COMMITTING FOR FIRST RESTORATION PERIOD -
1(Rcv. 5/2012)

Daniel T. Satterberg, Prosecuting Attorney
W554 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-9000, FAX (206) 296-0955

1 2. Pursuant to CrR 3.3, the time for trial in the above-entitled matter is tolled until such
2 time as the defendant is found competent to stand trial.

3 3. If the defendant does not object, psychotropic medication may be administered to the
4 defendant as deemed clinically appropriate by the staff of Western State Hospital.

5 [] Clinically appropriate psychotropic medications may also be administered against
6 the defendant's will if necessary.

7 4. The King County Department of Adult and Juvenile Detention shall transport the
8 defendant to Western State Hospital and shall return him/her to the King County Jail at such time
9 as he/she becomes competent and is discharged or the restoration period has elapsed. Any
10 facility providing inpatient services related to competency shall discharge the defendant as soon
11 as the facility determines that the defendant is competent to stand trial. Discharge shall not be
12 postponed during the writing and distribution of the evaluation report.

13 5. If the defendant is returned to the King County Jail for any reason prior to the end of
14 the restoration period, Western State Hospital shall notify the chief criminal judge and counsel
15 for both parties within 24 hours of the defendant's return. If the defendant is returned to the King
16 County Jail, the Jail must continue the medication regimen prescribed by the facility, when
17 clinically appropriate, unless the defendant refuses to cooperate with medication and there is no
18 forced medication order in effect.

19 6. When the defendant regains competency, or at the end of the restoration period, a
20 medical report shall be provided to the chief criminal judge of the court in which the criminal
21 proceeding is pending, counsel for both parties, and the King County Jail Psychiatric Unit
22 professional staff, setting forth the findings of the staff, detailing the defendant's present mental
23 condition, and indicating whether the defendant is competent to enter a plea to the charges and to
24

stand trial and whether psychotropic medications will be required to assist the defendant to maintain competency.

7. If the report finds that the defendant remains incompetent, the report shall provide an opinion as to whether the defendant should be evaluated by a County Designated Mental Health Professional under RCW 71.05.

8. If the defendant is incompetent solely due to a developmental disability or the evaluator concludes that the defendant is not likely to regain competency, the report must include an assessment of the defendant's future dangerousness which is evidence-based regarding predictive validity.

9. At the end of the restoration period, if the defendant remains incompetent:

☐ the defendant shall be returned to the custody of the King County Jail to be held pending further proceedings against the defendant.

☐ all parties agree ☐ to waive the presence of the defendant or ☐ to the defendant's telephonic participation at a subsequent presentation of an agreed order if the recommendation of the evaluator is for continuation of the stay of criminal proceedings for restoration efforts, and the hearing is held prior to the expiration of the authorized commitment period.

This matter is next scheduled for court on the _____ day of _____, 20____.
(This date must be prior to the expiration of the first 45 or 90 day restoration period).

DONE IN OPEN COURT this _____ day of _____, 20____.

JUDGE

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3 Presented by:

4 DANIEL T. SATTERBERG
5 King County Prosecuting Attorney

6
7 By: _____

8 Deputy Prosecuting Attorney, WSBA # _____

9 Copy received, notice of presentation waived
10 and approved for entry by:

11 By: _____

12 Attorney for Defendant, WSBA # _____
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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

Defendant.

No.

NOTICE OF INELIGIBILITY TO
POSSESS FIREARM UPON
COMMITMENT FOR TREATMENT
UNDER RCW 10.77 OR FINDING OF
NOT GUILTY BY REASON OF
INSANITY

Pursuant to RCW 9.41.047 and RCW 9.41.040, you are not permitted to possess a
firearm until your right to do so is restored by a court of record. You are further notified that you
must immediately surrender any concealed pistol license.

Date: _____

Judge, King County Superior Court

DEFENDANT

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6 SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

7 STATE OF WASHINGTON,)

8 Plaintiff,)

9 vs.)

10 _____,)
11 Defendant.)

No.)

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17 Date: _____

18 Judge, King County Superior Court

19 _____
20 DEFENDANT